

# Mississippi Department of Child Protection Services

Rebuilding Period Order

Period 1 Report

October 1, 2021 – September 30, 2022



Issued: November 15, 2022



**Olivia Y., et al. v. Reeves, et al. 2nd MSA Rebuilding Order - Period 1 Report**

	Rebuilding Period Requirements	Due Date	Period 1 Report	Status (Completed, Ongoing, In Process, Not Yet Due)
<b>2. Family-Based Placements</b>				
2.a.	All foster homes and facilities with children placed who are in the custody of MDCPS shall be licensed subject to the licensure process approved by Public Catalyst. [§3.1]	1/31/2023	Since the start of the Rebuilding Period in October 2021, the monitoring team reviewed a random sample of 60 non-relative foster home records. Fifty-five of the homes were licensed in accordance with MDCPS' approved licensure process. One home had improper weapon storage and three homes lacked some of the required documentation, i.e., home environment checklists, background checks, and/or medical forms, rendering the monitoring team unable to assess whether safety issues existed in the home. One additional home did not have a home study entered in the MDCPS Licensure Library/SharePoint.	In Process
2.b.	Nonrelative Foster Homes: At least 90% of all foster homes with children placed who are in the custody of MDCPS shall be timely licensed as provided in the approved licensure process.	1/31/2023	Of the 60 homes in the random sample reviewed by the monitoring team, 56 (93 percent) homes were licensed timely, meeting the Rebuilding Period standard, and three (5 percent) homes were not. The monitors were unable to determine the timeliness to licensure for one home as the home study was not uploaded to the MDCPS Licensure Library/SharePoint. For the three homes not licensed timely, licensure was completed 11 to 25 days past the 120-day licensure requirement.	In Process
2.b.1.	By the end of sixteen months, MDCPS shall recruit and license 486 additional foster homes. [§3.3]	1/31/2023	From the start of the Rebuilding Period in October 2021 through September 2022 MDCPS licensed 348 non-relative foster homes, 72 percent of the Rebuilding Period target of 486 licensed non-relative homes. MDCPS will need to license an average of thirty-five additional homes in each of the next four months in order to meet the January 31, 2023 target.	Not Yet Due

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2.c.	Defendants shall report to the Monitor on a monthly basis as to each subsection of this Section 2.	Monthly	MDCPS submitted the required monthly data to the Monitor during the reporting period.	Ongoing
<b>3. Child Safety and Maltreatment in Care</b>				
3.a.	By the end of fifteen months, the Monitor will complete an assessment of the quality of the statewide system for receiving and screening allegations of abuse and neglect of children, including case sampling, and provide the assessment to the parties.	12/31/2022	Drafting of the assessment report is underway and the final report will be issued by December 31, 2022, as required.	Not Yet Due
3.b.	By the end of fifteen months, the Monitor will complete a review of a statistically significant sample of all maltreatment reports that are screened-out, and assess the appropriateness of the State's decision making.	12/31/2022	Drafting of the assessment report is underway and the final report will be issued by December 31, 2022, as required.	Not Yet Due
3.c.	By the end of thirteen months, the Monitor will complete a root cause analysis, based on a 95% confidence level, of substantiated maltreatment in care cases for calendar years 2019 and 2020.	10/31/2022	The monitors completed the maltreatment in care root cause analysis report consistent with the requirements in Section 3.c of the Rebuilding Order. The monitors' report was issued and submitted to the parties on October 28, 2022.	Completed
3.c.	Based on this analysis, MDCPS will develop a plan within four months of receipt of the Monitor's root cause analysis, in conjunction with the Monitor, to improve the rate of child abuse and neglect among children in foster care. The plan approved by the Monitor shall also include recommended benchmarks and timeframes for implementing the plan, subject to review and approval by the parties.	2/28/2023		Not Yet Due
<b>4. Caseloads</b>				
4.a.	During the Rebuilding Period, MDCPS shall continue measuring caseloads for its frontline caseworkers based on the weighted standards table set forth in § 1.3.a. of the 2 <sup>nd</sup> MSA.	Monthly	MDCPS submitted monthly caseload data to the monitors during the reporting period.	Ongoing

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4.a.1.	By the end of the sixteenth month, 75% of MDCPS caseworkers will have caseloads which do not exceed the caseload standards set forth in § 1.3.a. of the 2 <sup>nd</sup> MSA.	1/31/2023		Not Yet Due
4.b.	Defendants shall report to the Monitor and Plaintiffs on a monthly basis as to each subsection of this Section 4.	Monthly	MDCPS provided monthly caseload data to the monitoring team through Period 1. The monitoring team validated caseload performance for frontline, adoption, and licensure workers, and the Special Investigations Unit for each month of the reporting period. The overall caseload performance for all program types was as follows: 10/31/2021- 53 percent 11/30/2021- 55 percent 12/31/2021- 58 percent 1/31/2022- 57 percent 2/28/2022- 51 percent 3/31/2022- 54 percent 4/30/2022- 50 percent 5/31/2022- 54 percent 6/30/2022- 58 percent 7/31/2022- 57 percent 8/31/2022- 48 percent 9/30/2022- 48 percent	Ongoing
4.c.	By the end of the Rebuilding Period, MDCPS will develop a plan to provide the Monitor with access to high quality caseload data on a daily basis.	1/31/2023		Not Yet Due

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<b>5. Child Well-Being</b>				
5.a.	Beginning with the thirteenth month, 60% of children shall have an initial medical screening within 7 days of the child's entry into foster care.	2/28/2023		Not Yet Due
5.b.	Beginning with the thirteenth month, 75% of children shall have an initial EPSDT or other comprehensive medical examination within 30 days of the child's entry into foster care.	2/28/2023		Not Yet Due
5.b.1.	If a child has received an EPSDT or other comprehensive medical exam within 7 days of entering foster care, it will count for both the screening and comprehensive medical examination.	2/28/2023		Not Yet Due
5.c.	Beginning with the thirteenth month, 50% of children shall have a dental examination within 90 days of the child's entry into foster care as set forth in § 8.1.e. of the 2 <sup>nd</sup> MSA.	2/28/2023		Not Yet Due
5.d.	By the end of sixteen months, MDCPS will develop a process, validated by the Monitor, to track periodic and on-going medical examinations and follow-up treatment as set forth in §§ 8.1.c. and 8.1.d. of the 2 <sup>nd</sup> MSA.	1/31/2023		Not Yet Due
5.e.	Defendants shall report to the Monitor the performance data as to each subsection of this Section 5, except for §§ 5.d. by February 28, 2023.	2/28/2023		Not Yet Due

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<b>7. Monitoring</b>				
7.b.	Public Catalyst shall provide technical assistance to Defendants as set forth herein or as otherwise agreed to by the parties.	Ongoing	The monitors met several times during the Rebuilding Period with the Commissioner and members of her executive leadership team, individually and collectively, to discuss various action areas in the Rebuilding Order and plans for other department initiatives. The monitors advised MDCPS on organizational structure considerations; caseload validation and reporting; instituting data-driven decision-making; tracking and documenting child health exams; implementing structured decision-making and other child safety-related operational changes; hiring and retention strategies; and effective team building and leadership development, including providing staff support and requiring staff accountability.	Ongoing
7.c.	In addition to the technical assistance set forth herein, the Monitor's duties shall include to independently verify data reports and statistics provided by Defendants during the Rebuilding Period. The Monitor may periodically conduct case record and qualitative reviews to monitor and evaluate the Defendants' performance and may review all plans and documents to be developed and produced by Defendants during the Rebuilding Period.		During the reporting period, the monitors independently verified caseload and foster home data reports and conducted qualitative reviews of non-relative foster homes as well as hundreds of case record reviews in support of the screening assessments and MIC root cause analysis required by the Rebuilding Period Order.	